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12 Attorneys for Plaintiffs and Counterclaim-Defendants
 ASUSTeK Computer, Inc. and ASUS Computer International

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 (SAN FRANCISCO DIVISION)

<p>17 ASUSTEK COMPUTER, INC., ASUS COMPUTER INTERNATIONAL, 18 Plaintiffs/Counter-Defendants, v. 20 INTERNATIONAL BUSINESS MACHINES CORPORATION, 22 Defendant/Counter-Plaintiff.</p>	<p>Case No. C08-CV-1168-MMC AMENDED [PROPOSED] ORDER RE SCHEDULING PRETRIAL AND TRIAL DATES</p>
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 24 As ordered during the Court's June 6, 2008 Case Management Conference,
 25 Plaintiffs/Counterclaim-Defendants ASUSTeK Computer, Inc. and ASUS Computer International
 26 (collectively "Plaintiffs" or "ASUS") submit their amended schedule and proposed order and
 27 request that the Court adopt it as the Scheduling Order for this case.

1 Defendant/Counterclaim-Plaintiff International Business Machines Corporation
 2 (“Defendant” or “IBM”) has reviewed the present proposed schedule and proposed order. IBM
 3 proposed an alternative schedule to the one ordered by this Court on June 6, 2008, but otherwise
 4 identified no scheduling conflicts with the schedule outlined below. ASUS understands that IBM
 5 may respond to this Amended Schedule, essentially seeking reconsideration of the Court’s June 6,
 6 2008 ruling.

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8 **AMENDED SCHEDULE**

9	a. Case Management Conference	Jun. 6, 2008 10:30 a.m.
10	b. Disclosure of Asserted Claims and Preliminary Infringement Contentions	Jun. 20, 2008
11	c. Preliminary Invalidity Contentions	Aug. 4, 2008
12	d. Designate Claim Construction Experts	Jan. 28, 2009
13	e. Exchange of Proposed Terms and Claim Elements for Construction	Jan. 28, 2009
14	f. Exchange of Preliminary Claim Constructions and Extrinsic Evidence	Feb. 17, 2009
15	g. Status Conference	Feb. 27, 2009 10:30 a.m.
16	h. Joint Claim Construction and Pre-hearing Statement	Mar. 16, 2009
17	i. Completion of Claim Construction Discovery	Apr. 15, 2009
18	j. Plaintiffs’ Opening Claim Construction Brief	Apr. 30, 2009
19	k. Defendant’s Responsive Claim Construction Brief	May 14, 2009
20	l. Plaintiffs’ Reply Claim Construction Brief	May 25, 2009
21	m. Claim Construction Pre-hearing Conference	Jun. 9, 2009
22	n. Claim Construction Hearing	Jun. 12, 2009

1	o. Claim Construction Ruling (Estimated to allow for subsequent dates to be provided)	Sept. 9, 2009
2	p. Last Day to Amend Pleadings	Oct. 9, 2009
3	q. Final Infringement Contentions	Oct. 9, 2009
4	r. Final Invalidity Contentions	Oct. 29, 2009
5	s. Opinion of Counsel as Defense to Willfulness	Oct. 29, 2009
6	t. Designate Technical Experts	Dec. 1, 2009
7	u. Deadline to Complete Fact Discovery	Jan. 8, 2010
8	v. Deadline for party with the burden of proof to submit expert reports	Jan. 25, 2010
9	w. Deadline for parties to submit responsive expert reports	Feb. 22, 2010
10	x. Deadline to complete expert discovery	Mar. 17, 2010
11	y. Deadline for parties to file dispositive motions	Apr. 8, 2010
12	z. Hearing on Final Dispositive and <i>Daubert</i> Motions ¹	Apr. 28, 2010
13	aa. Joint Pretrial Conference Statement and Proposed Order	Jul. 20, 2010
14	bb. File Motions in Limine	Jul. 20, 2010
15	cc. Provide Copies of Exhibits to Other Parties and Stipulation re Admissibility of Exhibits for Presentation at Pretrial Conference	Jul. 20, 2010
16	dd. File Joint Set of Agreed Upon Jury Instructions and Individual Sets of Instructions not Agreed Upon and Objections	Jul. 20, 2010
17	ee. File Joint Preliminary Statement and/or Preliminary Instructions (for the jury)	Jul. 27, 2010
18	ff. File Opposition to Motions in Limine	Jul. 27, 2010
19	gg. File List of Exhibits with Stipulations and Objections	Aug. 2, 2010
20	hh. File list of Objections to Other Evidence	Aug. 2, 2010
21	ii. File Proposed Jury Voir Dire and Proposed Form of Verdict	Aug. 2, 2010
22	jj. Pretrial Conference	Aug. 3, 2010
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¹ This schedule assumes final dispositive motion rulings within sixty (60) days after the hearing.

1 kk. Pretrial Disclosures Sept. 3, 2010
2 ll. Objections to Pretrial Disclosures Sept. 17, 2010
3 mm. Provide Exhibits to Court Oct. 4, 2010
4 nn. Trial Oct. 4, 2010

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6 ASUS and IBM reserve their right to request that the schedule be amended due to changes
7 occurring in the course of the case.

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9 Dated: June 18, 2008

/s/ John P. Schnurer

10 Attorney for Plaintiffs ASUSTeK Computer, Inc. and
11 ASUS Computer International

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13 **AMENDED SCHEDULING ORDER**

14 The Amended Order Re Scheduling Pretrial and Trial Dates is hereby adopted by the Court
15 as the Scheduling Order for the case and the parties are ordered to comply with this Order.
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17 Dated: _____

18 The Honorable Maxine M. Chesney
19 United States District Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on June 18, 2008 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Fed. R. Civ. P. 5(b)(3). Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery.

Dated: June 18, 2008

Respectfully submitted,

By: /s/ John P. Schnurer

Attorneys for ASUSTeK Computer, Inc. and
ASUS Computer International